

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

EQUAL OPPORTUNITY  
EMPLOYMENT COMMISSION,

Plaintiff,

and

ANDREW DEUSCHLE,

Intervenor Plaintiff,

vs.

WERNER ENTERPRISES, INC.,

Defendant.

8:18-CV-329

TRIAL ORDER

IT IS ORDERED:

1. The above-captioned civil case is set for a jury trial before the undersigned judge in Courtroom 1 (Special Proceedings), Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, commencing at **9:00 a.m. on Monday, June 5, 2023**, or as soon thereafter as the case may be called, for a duration of 5 trial days.
2. A pretrial conference is scheduled to be held before the undersigned judge at **12:00 p.m. on Friday, June 2, 2023** in the Special Proceedings Chambers, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

3. To facilitate the pretrial conference, the Court will utilize the Pretrial Conference Order entered by the United States Magistrate Judge on May 3, 2023 ([filing 298](#)).
4. Any remaining motions in limine shall be filed on or before **Friday, May 26, 2023**. The parties shall file and serve on opposing counsel on or before **Friday, May 26, 2023**, as appropriate, all proposed jury instructions, trial briefs and suggested verdict forms.
5. Parties shall deliver to the Court, on or before **Thursday, June 1, 2023**, trial copies of all exhibits in a three-ring binder organized for use by dividers or tabs. Exhibits may be delivered to the office of the Clerk of the Court at the Omaha courthouse.
6. If a party will use a deposition at trial, the proponent must supply the Court with a copy of the deposition on or before **Tuesday, May 30, 2023**. If less than the whole deposition will be used, the copy must highlight the portions to be introduced. The proponent must also supply the Court with a list or index identifying by page and line the portions to be introduced. If a party objects to the introduction of deposition testimony, that party must supply the Court, by **Wednesday, May 31, 2023**, with a list specifying the precise nature of each objection and identifying its location by page and line.
7. If a party intends to use testimony in a videotaped deposition and the opponent objects to any portion of it, the proponent must

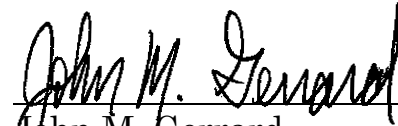
supply the Court with a transcript of the testimony from the deposition on or before **Tuesday, May 30, 2023**. The transcript must highlight the portions of the testimony to be introduced. The proponent must also supply the Court with a list or index identifying by page and line in the transcript the portions to be introduced. If a party objects to the introduction of videotaped deposition testimony, that party must supply the Court, by **Wednesday, May 31, 2023**, with a list specifying the precise nature of each objection and identifying its location in the transcript by page and line.

8. At 9:00 a.m. on the first day of trial, the Court will meet with counsel and clients, on the record in the courtroom. This will be an opportunity to dispose of any last minute matters, prior to trial. Voir dire will commence immediately thereafter.
9. Each subsequent day of trial will begin at 8:45 a.m. unless the Court directs otherwise.
10. Questioning of witnesses will be limited to direct examination, cross-examination, and redirect examination unless the Court allows further examination.
11. The Court will conduct an initial voir dire of the prospective panel. Counsel will be permitted to conduct follow-up voir dire in areas not covered by the Court's examination or in an area which may justify further examination in view of a prospective juror's response during the Court's voir dire.

12. Witnesses who do not appear to testify when scheduled will be considered withdrawn. The trial will then proceed with the presentation of any remaining evidence.
13. A list of the equipment available in the courtroom, and a virtual tour of the courtroom, is available on the Court's external web page at <http://www.ned.uscourts.gov/attorney/courtroom-technology>.

Dated this 23rd day of May, 2023.

BY THE COURT:

  
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John M. Gerrard  
Senior United States District Judge